

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARY GREENE MAZUR, Case No. 24-13193
Plaintiff,
v. Mark A. Goldsmith
United States District Judge
JEFFREY GARRISON, *et al.*, Curtis Ivy, Jr.
Defendants. / United States Magistrate Judge

ORDER TERMINATING AS MOOT MOTIONS TO DISMISS (ECF Nos. 19, 20)

On February 10, 2025, Defendants Garrison, Prater, Sloat, Sizemore, and Parker filed motions to dismiss. (ECF Nos. 19, 20). Plaintiff's responses to the motions are due March 14, 2025. (ECF No. 22). On March 2, 2025, Plaintiff instead filed an amended complaint adding two municipalities as new parties. (ECF No. 23). This amended complaint was filed as of right. *See Fed. R. Civ. P. 15(a)(1).*

“[A]n amended complaint supercedes [sic] all prior complaints.” *Drake v. City of Detroit*, 266 F. App’x 444, 448 (6th Cir. 2008). “It follows that ‘motions directed at the superseded pleading,’ such as Defendants’ motion here, “generally are to be denied as moot.”” *Nails v. RPI-Section 8 Hous.*, 2019 WL 1112381, at *4 (E.D. Mich. Mar. 11, 2019) (quoting *Heard v. Strange*, 2018 WL 4189652, at *2 (E.D. Mich. June 21, 2018) (collecting cases). Though the

amended complaint may not cure the deficiencies argued in the motions to dismiss, Defendants' motions to dismiss are **TERMINATED AS MOOT** and without prejudice to their right to move to dismiss the amended complaint.

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: March 3, 2025

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on March 3, 2025.

s/Sara Krause
Case Manager
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